

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

The State of Missouri, *et al.*,

Plaintiffs,

v.

President Joseph R. Biden, Jr., in his official
capacity as President of the United States of
America, *et. al.*,

Defendants.

Civil Action No. 22-cv-1213

CONSENT MOTION FOR LEAVE TO FILE REPLY IN EXCESS OF PAGE LIMITS

Defendants respectfully request leave, unopposed, to file a reply of up to sixty-five (65) pages in support of their Motion to Dismiss the Second Amended Complaint. Good cause supports this motion to exceed the page limits provided by Local Rule 7.8. Plaintiffs' Second Amended Complaint spans 164 pages and 570 numbered paragraphs, includes 67 named defendants, and incorporates hundreds of pages of declarations and other documents. Defendants' Motion to Dismiss asserts that the First Amendment, ultra vires, and Administrative Procedure Act claims against all Defendants must be dismissed for lack of subject matter jurisdiction and failure to state a claim. Defendants respectfully submit that a reply of up to 65 pages is necessary to adequately address the arguments in Plaintiffs' opposition to Defendants' Motion to Dismiss (Doc. 165 (January 6, 2023)), which spans 83 pages; each of the theories Plaintiffs advance to support Article III standing on behalf of the States and various individual Plaintiffs; and the various allegations Plaintiffs raise in support of their claims on the merits against all Defendants.

Plaintiffs do not oppose this Motion. In accordance with the Local Rules of this Court, a proposed order is attached.

Dated: February 8, 2023

Respectfully submitted,

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/s/ Indraneel Sur

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CERTIFICATE OF CONFERENCE

In accordance with the Local Rules of this Court, counsel for Defendants contacted Plaintiffs' counsel to request consent for the filing and granting of this motion. Plaintiffs' counsel informed counsel for Defendants that Plaintiffs do not oppose this motion.

/s/ Indraneel Sur